

FORM PTO-1390
(REV. 02/2005)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

ATTORNEY'S DOCKET NUMBER

7003/42

U.S. APPLICATION NO. (If known, see 37 CFR 1.55)

Unassigned **10/541633**INTERNATIONAL APPLICATION NO.
PCT/DE2004/000012INTERNATIONAL FILING DATE
02 January 2004PRIORITY DATE CLAIMED
03 January 2003

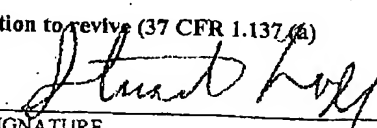
TITLE OF INVENTION

USE OF ACTIVE INGREDIENTS FOR THE PROPHYLAXIS AND/OR THERAPY OF VIRAL DISEASES

APPLICANT(S) FOR DO/EO/US: Oliver PLANZ; Stephan PLESCHKA; Hans-Harald SEDLACEK; Stephan LUDWIG

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
 2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
 3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
 4. ☒ The US has been elected (Article 31).
 5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
 6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
 7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
 8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
 9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
 10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).
- Items 11 to 20 below concern document(s) or information included:**
11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
 12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
 13. ☐ A preliminary amendment.
 14. ☐ An Application Data Sheet under 37 CFR 1.76.
 15. ☐ A substitute specification.
 16. ☐ A power of attorney and/or change of address letter.
 17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
 18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
 19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
 20. ☐ Other items or information: Statement Under 37 CFR 3.73(b), including copy of Assignment

U.S. APPLICATION NO. 10/541633		INTERNATIONAL APPLICATION NO. PCT/DE22004/000012		ATTORNEY'S DOCKET NUMBER 7003/42	
The following fees have been submitted:				CALCULATIONS PTO USE ONLY	
21. <input checked="" type="checkbox"/> Basic national fee \$300.00				\$ 300.00	
22. <input checked="" type="checkbox"/> Examination fee \$100.00					
If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4) \$100.00					
All other situations \$200.00				\$ 200.00	
23. <input checked="" type="checkbox"/> Search fee					
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority \$100.00					
International Search Report prepared and provided to the Office \$400.00				\$ 400.00	
All other situations \$500.00					
TOTAL OF 21, 22 and 23 =				\$ 900.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or Fraction thereof (round up to a whole number)	Rate		
29 - 100 =	0 / 50 =	0	x \$250	\$	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)).				\$ 130.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	15 - 20 =	0	x \$50.00	\$	
Independent claims	- 3 =	0	x \$200.00	\$	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00	\$	
TOTAL OF ABOVE CALCULATIONS =				\$1030.00	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	
SUBTOTAL =				\$ 515.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$ 130.00	
TOTAL NATIONAL FEE =				\$ 645.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$	
TOTAL FEES ENCLOSED =				\$	
				Amount to be refunded:	\$
				charged:	\$ 645.00
a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.					
b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>50-1047</u> in the amount of <u>\$645.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed.					
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>50-1047</u> . A duplicate copy of this sheet is enclosed.					
d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO:					
Mayer Fortkort & Williams, PC 251 North Avenue West, 2 nd Floor Westfield, NJ 07090 Tel.: 908-518-7700 Fax: 908-518-7795				SIGNATURE  NAME 35,277 REGISTRATION NUMBER	